S.B. CR.MISC.BAIL APPL.NO.7300/2007.

Virendra Singh alias Khatto
Vs.
State

Date of order : 2/11/2007.

HON'BLE MR.JUSTICE MOHAMMAD RAFIQ

Shri Anil Kumar for the petitioner.
Shri Harshvardhan Nandvana PP for the State.

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Heard learned counsel for the petitioner, learned Public Prosecutor for the State and perused the relevant documents placed before me.

Learned counsel for the petitioner has argued that the allegation against the petitioner is of committing offences u/Ss.379 and 411 IPC and both are punishable by maximum sentence of three years. There is no previous cr.case ever registered against him. Investigation is almost complete. His further detention is therefore no longer required for any purpose of investigation.

Learned Public Prosecutor has opposed the bail application and has argued that in view of seriousness of allegations against the petitioner, he is not entitled to be enlarged on bail.

Without expressing any opinion on the merits of the case but taking into consideration the aforesaid arguments, I deem it appropriate to enlarge the petitioner on bail during trial.

In the result, this bail application u/S.439 Cr.P.C. is allowed and it is directed that petitioner Virendra Singh alias Khatto S/o Prahlad shall be released on bail in F.I.R. No.176/2007 P.S. Udhyog Nagar, Distt.Bharatpur for offences under Sections 379 and 411 IPC subject to his furnishing a personal bond in the sum of Rs.30,000/- together with two sureties in the sum of Rs.15,000/- each to the satisfaction of the trial Court for his appearance before that court on all dates of hearing until conclusion of the trial.

In case, petitioner is found again indulging himself in similar offence in future, the liberty of bail granted to him shall be liable to be cancelled on prosecution moving the court of sessions for cancellation of his bail.

(MOHAMMAD RAFIQ), J.

anil/-